

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

JAMES EDWARD CURTIS,

Plaintiff,

v.

LEATHERS (FNU), WASHINGTON  
DEPARTMENT OF CORRECTIONS,

Defendants.

Case No. C17-474 RAJ-BAT

**ORDER GRANTING  
APPLICATION TO PROCEED IN  
FORMA PAUPERIS AND  
DIRECTING INSTITUTION TO  
CALCULATE, COLLECT AND  
FORWARD PAYMENTS**

Plaintiff, who is currently incarcerated, is proceeding *pro se* in this civil rights action.

The Court has reviewed plaintiff's application to proceed in forma pauperis and **ORDERS:**

(1) Plaintiff's application to proceed in forma pauperis (Dkt. 1) is **GRANTED**. As set forth below, an initial partial filing fee will be collected, and thereafter each month plaintiff is required to pay 20 percent of the preceding month's income credited to plaintiff's account until the full amount of the filing fee is satisfied.

(2) Pursuant to 28 U.S.C. § 1915 and plaintiff's approved application to proceed in forma pauperis, the agency having custody of the above named plaintiff is directed to calculate an initial partial filing fee equal to 20 percent of the greater of either: (1) the average monthly deposits to the prisoner's account; or (2) the average monthly balance in the prisoner's account

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1 for the 6-month period immediately preceding the date of this Order. The initial partial filing fee  
2 should be forwarded to the court clerk as soon as practicable.

3 Subsequently, if the prisoner's account exceeds \$10.00, each month the agency having  
4 custody of the prisoner is directed to collect and forward payments equal to 20 percent of the  
5 prisoner's preceding month's income credited to the prisoner's account. In the event that the  
6 monthly payment would reduce the prisoner's account below \$10.00, the agency should collect  
7 and forward only that amount which would reduce the prisoner's account to the \$10.00 level.  
8 Finally, the monthly payments should be collected and forwarded to the court until the entire  
9 filing fee (\$350.00) for this matter has been paid.

10 (3) The Clerk shall direct a copy of this Order to plaintiff and to the agency having  
11 custody of the plaintiff.

12 DATED this 31st day of March, 2017.

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14 BRIAN A. TSUCHIDA  
15 United States Magistrate Judge  
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